

**REMARKS**

Reconsideration of the present application is respectfully requested in light of the above amendments to the application and the following remarks.

**Regarding the Claims**

Claims 9, 10, 12 and 13 have been amended. Claims 1-8 and 11 have been cancelled. Currently pending in the application, therefore, are Claims 9, 10, 12 and 13, of which Claim 9 is independent. No new matter has been added.

Claims 9-13 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Liardet view of Hirsch and Zeigler et al., further in view of Yoshimi et al.. Applicant has amended Claim 9 to distinguish over the cited art.

Independent Claim 9 is believed to now be in condition for allowance, and dependent Claims 10, 12 and 13 are thereby also in condition for allowance. Therefore, Applicant submits that the new claims overcome the Examiner's rejections and objections and are in condition for allowance, and Applicant respectfully requests the same

Claims 9-13 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 6-10 of copending Application No. 10/705,256. Applicant respectfully submits a terminal disclaimer in compliance with 37 CFR 1.321(c) to overcome the actual or provisional rejection based on the nonstatutory double patenting.

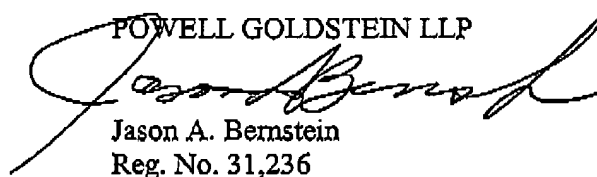
Some amendments and remarks contained in this document, or in other documents filed or to be filed with the US Patent Office in this case or related cases, may in the future be deemed,

by a court of law or government agency of competent jurisdiction, to be narrowing amendments and/or related to patentability. Accordingly, the public is hereby advised that the applicant: (a) intends to relinquish only that claim coverage which is clearly, explicitly, precisely and unequivocally stated to be relinquished; (b) does not intend to relinquish any other claim coverage; (c) reserves the right to assert that any such amendments and/or remarks are not narrowing and/or are not related to patentability; and (d) intends to fully assert the full range of equivalents, under the Doctrine of Equivalents and otherwise, which are presently known or which may become known in the future, for each and every element of each and every claim, and for each and every claim.

Should the Examiner have questions or suggestions which will put this application in line for allowance, he or she is requested to contact the undersigned attorney.

Respectfully submitted,

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